

NOV-12-2009 THU 04:03 PM Allen Dyer Doppelt

FAX NO. 407 796 5046

P. 01

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NOV 20 2009

OFFICE OF PETITIONS

FACSIMILE COVER SHEET

U.S. Patent and Trademark Office

Attention: Maintenance Fee

Branch

MATTER NUMBER: 20238.2RE

FAX: (571) 273-6500

TELEPHONE: (571) 272-6500

DATE: 11/11/09

FROM: Carl M. Napolitano

3

NUMBER OF PAGES (INCLUDING COVER SHEET)

COMMENTS/INSTRUCTIONS: Re: Notification of Error in Payment of Fee(s) for:

U.S. Patent No. RE37,823

Issued: 11/09/99

U.S. Serial No. 09/613,154

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PAGE 1/3 * RCVD AT 11/12/2009 4:06:06 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-641 * DNI:2736500 * CSID:407 796 5046 * DURATION (mm:ss):01-02

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P. 02

Adjustment date: 01/07/2010 CKHLOK
 01/13/2004 DALLEN 00000025 010484 RE37823
 11/16/2009 DALLEN 86000002 010484 RE37823
 01 FC:1559 1855.00 CR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. RE37,823 of:

BORDEN M. LARSON ET AL.

Serial No. 09/613,154

Filing Date: 03/09/98

Issue Date: 11/09/99

For: WATER SPORT TOWING
APPARATUS AND METHOD

Sir:

Adjustment date: 01/07/2010 CKHLOK
 01/13/2004 DALLEN 00000005 RE37823
 -455.00 OP
 11/16/2009 DALLEN 00000032 010484 RE37823
 Art Unit: 3617 FC:1559 1855.00 DA
 Attorney Docket No.: 20238.2RE

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**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)
AS A SMALL ENTITY STATUS PURSUANT TO 37 CFR § 1.28(c)**

Applicant hereby notifies the Patent and Trademark Office that the Issue Fee was paid and then subsequently the 3.5 and 7.5 Year Maintenance Fees were paid. The Fees were paid identifying the Applicant as a small entity. The claim for small entity set forth in the verified statement originally filed is hereby withdrawn. The failure to pay the Issue Fee, 3.5 Year and 7.5 Year Maintenance Fees as a large entity occurred without deceptive intent.

Pursuant to 37 CFR §1.28(c)(2)(ii), the deficiency in the payment of fees is:

itemized below:

TYPE OF FEE	CURRENT FEE AMOUNT FOR NON-SMALL ENTITY	SMALL ENTITY FEE PAID	DATE SMALL ENTITY FEE PAID	FEE OR DEFICIENCY OWED
Issue Fee	1,510.00	650.00	01/28/02	860.00
3.5 Year Maintenance Fee	980.00	455.00	09/02/04	525.00
7.5 Year Maintenance Fee	2,480.00	1,150.00	03/29/07	1,330.00
				2,715.00

01/07/2010 CKHLOK 00000007 010484 RE37823

01 FC:1551 525.00 DA 455.00 OP
02 FC:1552 2480.00 DAAdjustment date: 01/07/2010 CKHLOK
11/16/2009 DALLEN 00000031 010484 09613154
01 FC:1461 860.00 CR

11/16/2009 DALLEN 00000031 010484 09613154
 Adjustment date: 01/07/2010 CKHLOK 00000002 010484 RE37823
 01 FC:1559 1855.00 CR

In re U.S. Patent No. RE37,823 of:

BORDEN M. LARSON ET AL.

Serial No. 09/613,154

Filing Date: 03/09/98

Pursuant to 37 CFR §1.28(d), the payment of the deficiencies as itemized above operates as notification of loss of status and will be treated under §1.27(g)(2) as a notification of loss of entitlement to small entity status.

The Commissioner is authorized to charge Deposit Account No. 01-0484 in the total amount of \$2,715.00. If any additional fee is required, authorization is given to charge the Deposit Account No. 01-0484.

Respectfully submitted,



Carl M. Napolitano, PH.D.

Reg. No. 37,405

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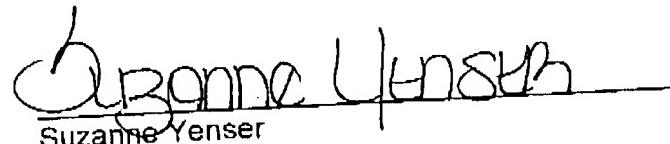
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Agent for Applicant

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the foregoing is being facsimiled transmitted, (571) 273-6500 to the Commissioner for Patents, Maintenance Fee Branch, Office of Finance, this 12th day of November, 2009.


Suzanne Yenser